

# HOUSE BILL 805

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HB 544/08 – W&M

9lr2378

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By: **Delegate Heller**

Introduced and read first time: February 11, 2009

Assigned to: Ways and Means

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 21, 2009

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Election Law – Campaign Account – Debit Card Disbursements**

3 FOR the purpose of authorizing only the treasurer of a campaign finance entity to  
4 make a disbursement by debit card from a campaign account; authorizing the  
5 treasurer of a campaign finance entity to reimburse a person by debit card  
6 disbursement to pay an expense of the campaign finance entity; authorizing the  
7 treasurer of a campaign finance entity to replenish a petty cash fund by debit  
8 card disbursement; and generally relating to debit card disbursements by the  
9 treasurer of a campaign finance entity.

10 BY repealing and reenacting, without amendments,  
11 Article – Election Law  
12 Section 13–218  
13 Annotated Code of Maryland  
14 (2003 Volume and 2008 Supplement)

15 BY repealing and reenacting, with amendments,  
16 Article – Election Law  
17 Section ~~13–219~~ and 13–220  
18 Annotated Code of Maryland  
19 (2003 Volume and 2008 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
21 MARYLAND, That the Laws of Maryland read as follows:

22 **Article – Election Law**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 13-218.

2 (a) All assets received by or on behalf of a campaign finance entity shall be:

3 (1) delivered to the treasurer; and

4 (2) maintained by the treasurer for the purposes of the campaign  
5 finance entity.

6 (b) (1) Assets of a campaign finance entity may be disbursed only:

7 (i) if they have passed through the hands of the treasurer; and

8 (ii) in accordance with the purposes of the entity.

9 (2) Subject to § 13-220(b)(2) and (c) of this subtitle, the treasurer shall  
10 make all disbursements for the campaign finance entity.

11 (c) The treasurer of a State or county central committee of a political party  
12 may not make any disbursement of the central committee's assets, or incur any  
13 liability on its behalf, without authority and direction from the chairman of the central  
14 committee.

15 ~~13-219.~~

16 (a) ~~[A] SUBJECT TO § 13-220(B)(3) OF THIS SUBTITLE, A subtreasurer~~  
17 ~~shall:~~

18 (1) ~~deposit, disburse, and account for funds in the same manner as,~~  
19 ~~and under the authority of, the treasurer;~~

20 (2) ~~submit a campaign finance report under oath to the treasurer on a~~  
21 ~~form that the State Board prescribes; and~~

22 (3) ~~include with the report a copy of each campaign contribution~~  
23 ~~receipt issued.~~

24 (b) ~~The campaign finance report filed by the campaign finance entity under~~  
25 ~~Subtitle 3 of this title shall have attached to it a copy of the campaign finance report of~~  
26 ~~the subtreasurer and account for the items in the subtreasurer's report.~~

27 13-220.

28 (a) (1) Each campaign finance entity shall designate one or more  
29 campaign accounts.

1 (2) Each designated campaign account shall:

2 (i) be in a financial institution; and

3 (ii) be registered in a manner that identifies it as the account of  
4 a campaign finance entity.

5 (3) A campaign finance entity shall deposit all funds received in a  
6 designated campaign account.

7 (b) (1) Subject to [paragraph (2)] **PARAGRAPHS (2) AND (3)** of this  
8 subsection and subsection (c) of this section, a campaign finance entity may not  
9 directly or indirectly make a disbursement except by check **OR DEBIT CARD** from a  
10 campaign account designated under subsection (a) of this section.

11 (2) A campaign finance entity, or a person authorized by the campaign  
12 finance entity, may pay an expense of the campaign finance entity from funds other  
13 than a campaign account if:

14 (i) the expense is supported by a receipt that is provided to the  
15 campaign finance entity; and

16 (ii) the campaign finance entity reimburses the person who paid  
17 the expense by check **OR DEBIT CARD DISBURSEMENT** from the campaign account  
18 and reports the expense as an expenditure of the campaign finance entity in  
19 accordance with Subtitle 3 of this title.

20 **(3) ONLY THE TREASURER OF THE CAMPAIGN FINANCE ENTITY**  
21 **MAY MAKE A DISBURSEMENT BY DEBIT CARD FROM A CAMPAIGN ACCOUNT**  
22 **DESIGNATED UNDER SUBSECTION (A) OF THIS SECTION.**

23 (c) (1) A campaign finance entity may maintain a petty cash fund.

24 (2) The campaign finance entity shall maintain a separate account  
25 book for the petty cash fund.

26 (3) The petty cash fund:

27 (i) may not exceed \$250 at any time; and

28 (ii) may be replenished only by check, **OR BY DEBIT CARD**  
29 **DISBURSEMENT BY THE TREASURER**, from a campaign account designated under  
30 subsection (a) of this section.

31 (4) Not more than \$25 may be disbursed from the petty cash fund in a  
32 primary or general election to a single recipient.

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1                   (5) Each petty cash expenditure shall be supported by a receipt and  
2 reported by category on the appropriate campaign finance report.

3                   (6) This subsection does not authorize an expenditure that otherwise  
4 is unlawful under this article.

5                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
6 October 1, 2009.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.